REMARKS

This Response is submitted in reply to the Office Action dated September 30, 2005. Claims 1, 8-10, 12, 13, 17, 24, 25, 38, 45, 59, 66, 72 and 82 have been amended, and new Claims 88-93 have been added. No new matter has been added to the Claims. A Supplemental Information Disclosure Statement is submitted herewith. A check is enclosed to cover the fee for the new Claims and the Supplemental Information Disclosure Statement. Please debit Deposit Account No. 02-1818 for any insufficiency of payment, or credit for any overpayment in connection with this Response.

Claim Objections

The Office Action objected to Claim 17, requiring the term "on" at line 3 to be corrected to the term "one." Applicants have made such correction, and Applicants respectfully submit that they have overcome such objection.

Claim Rejections – 35 U.S.C. §102

The Office Action rejected Claims 1-7, 10-13, 24, 38-51, 59-69, 71, 82-85 and 87 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,683,082 to Takemoto et al. ("Takemoto"). In addition, the Office Action rejected Claims 25-37, 70 and 72-81 under 35 U.S.C. §102(b) as being anticipated by Takemoto, or, in the alternative, under 35 U.S.C. §103(a) as obvious over Takemoto in view of U.S. Patent No. 5,179,517 to Sarbin ("Sarbin").

Indication of Allowable Subject Matter

The Office Action indicated that Claims 14-23 and 52-58 are allowed. Also, the Office Action stated that Claims 8-9 and 86 would be allowable if rewritten in independent form including all of the elements of the base Claim and any intervening Claims. As the reason for allowability, the Office Action stated that "the prior art does not teach or suggest the special technical feature of storing or retaining the data card after a particular event, as particularly claimed."

Claim 8 depends directly from Claim 1. Applicants have rewritten un-amended Claim 8 as new Claim 88 which includes all of the elements of un-amended Claims 8 and 1. Applicants have added new Claim 89 which depends from new Claim 88.

Claim 9 depends directly from Claim 1. Applicants have rewritten un-amended Claim 9 as new Claim 90 which includes all of the elements of un-amended Claims 9 and 90. Applicants have added new Claim 91 which depends from new Claim 90.

Claim 86 depends directly from Claim 82. Applicants have rewritten un-amended Claim 88 as new Claim 92 which includes all of the elements of un-amended Claims 86 and 82. Applicants have added new Claim 93 which depends from new Claim 92.

Accordingly, Applicants respectfully submit that new Claims 88-93 are in condition for allowance.

Amendments

As described above, the Office Action's reason for allowability is based upon the storing or retaining of the data card after a particular event. Accordingly, Applicants have amended Claims 1, 8-10, 12, 13, 17, 24, 25, 38, 45, 59, 66, 72 and 82 to include such element. The Claims submitted herewith do not limit the use of the data card after it is stored or retained. Specifically, the stored or retained data card may be held and removed from circulation, or it may be reused for additional game play. Specifically, amended Claim 1 (and Claims 2-11 which depend therefrom) are directed to a gaming device having, among other elements, a memory device usable by the processor to cause at least one of the received resettable data cards to be stored within the housing after a designated event occurs.

Amended Claims 12, 13 and 24 are each directed to a gaming device having, among other elements, a memory device storing at least one instruction executable by the processor to cause at least one of the received resettable data cards to be stored within the housing after a designated event occurs.

Amended Claim 25 (and Claims 26-37 which depend therefrom) are directed to a data card usable in a gaming device operable upon a wager, where the gaming device includes a housing. The housing defines at least one card slot sized to receive such

data card, and the gaming device includes a read-write device connected to the housing, a card transporter connected to the housing and a card support member connected to the housing. The card support member is operable to support such data card. The gaming device has a processor in communication with the read-write device, and the processor is operatively coupled to the card transporter. The gaming device has a memory device storing at least one instruction executable by the processor to cause such data card to be stored within the housing after the processor determines that such data card has a designated condition. The data card includes a body sized to pass through the card slot. The data card also includes a card memory device connected to the body, and the card memory device is operable to store data associated with a presence of the designated condition. Also, the data card has means connected to the body for interfacing with the read-write device, and the means enables the processor of the gaming device to read such data to determine whether the designated condition is present.

Amended Claim 38 (and Claims 39-44) are directed to a data storage device having a plurality of instructions. The instructions direct a processor to conduct the following steps, among others: store the received data card within the housing if no credits remain; and if credits remain: (i) cause the data on the received data card to correspond to the remaining credits; and (ii) dispense said data card to the player.

Amended Claim 45 (and Claims 46-51) are directed to a data storage device having a plurality of instructions. The instructions direct a processor to conduct the following steps, among others: store the received data card within the housing if no credits remain; and if credits remain: (i) cause the data on the received data card to correspond to the remaining credits; and (ii) dispense said data card to the player.

Amended Claim 59 (and Claims 60-65) are directed to a data storage device having a plurality of instructions. The instructions direct a processor to conduct the following steps, among others: dispense the received data card to the player if a designated event occurs; and store the received data card within the housing if another designated event occurs.

Amended Claim 66 (and Claims 67-71 which depend therefrom) are directed to a gaming device having, among other elements, a memory device storing at least one instruction executable by the processor to cause at least one of the received data cards to be stored within the housing after a designated event occurs.
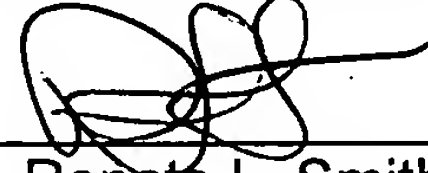
Amended Claim 72 (and Claims 73-81 which depend therefrom) are directed to a data card for use in conjunction with a gaming device under control of a processor. The gaming device has a game operable upon a wager; a housing and a card entry wall connected to the housing. The card entry wall defines a slot sized to receive at least one data card. The gaming device includes an assembly supported by the housing, and the assembly has a read-write device, a graphics printing device and a graphics erasing device. The gaming device includes a data card support member supported by the housing, and the card support member defines an opening with a size. Also, the gaming device has at least one data card transporter supported by the housing, and a processor in communication with the read-write device, the graphics printing device, the graphics erasing device and the data card transporter. The gaming device includes a memory device storing at least one instruction executable by the processor to cause such data card to be stored within the housing after the processor determines that the data card has a designated condition. The data card has: a body with a size less than the size of the opening defined by the card support member; a memory member connected to the body, where the memory member is operable to store data associated with a presence of the designated condition, and where such data is readable by the processor of the gaming device to determine whether the designated condition is present; and a separate thermosensitive recording member connected to the body.

Amended Claim 82 (and Claims 83-87 which depend therefrom) are directed to a method for operating a gaming device. The method has the following steps, among others: dispensing the data card to the player upon an event; and storing the data card within the housing upon another event.

An earnest endeavor has been made to place this application in condition for allowance, and such allowance is courteously solicited. If the Examiner has any questions related to this Response, Applicants respectfully request that the Examiner contact the undersigned.

Respectfully submitted,

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BY _____

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Dated: December 28, 2005